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Election
S. Zimmerman
PATENT
Attorney Docket No. 211600
DHHS Ref. E-225-94/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Kotin et al.

Application No. 09/992,327

Filed: August 3, 2001

Art Unit: 7413

Examiner: Nguyen, Dave Tro

For: LIPID VESICLES CONTAINING
ADENO-ASSOCIATED VIRUS REP
PROTEIN FOR TRANSGENE
INTEGRATION AND GENE
THERAPY

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TECHNOLOGY CENTER 1600/2900

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement dated November 20, 2002, please consider the following remarks.

REMARKS

The Requirement for Restriction

The Office has set forth the following requirement for restriction:

Group I: claims 1-4, drawn to an *ex vivo* process of transducing a cell with a DNA sequence and introducing the cell into a mammal, classified in Class 424, subclass 93.21, and

Group II: claims 5 and 6, drawn to an *in vivo* process of transducing a cell with a DNA sequence, classified in Class 514, subclass 44.

Both groups of claims involve contacting a cell with (i) a genetic construct comprising AAV ITRs and a DNA encoding a polypeptide or genetic transcript of interest operably linked to a promoter and (ii) either an AAV Rep protein-encoding genetic construct or AAV Rep protein.

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